

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

VOTER INTEGRITY PROJECT NC,)	
INC.,)	
)	
Plaintiff,)	
v.)	File No. 5:16-cv-683-BR
)	
WAKE COUNTY BOARD)	
OF ELECTIONS)	
)	
Defendant.)	

MOTION TO DISMISS
(Fed.R.Civ.P. 12(b)(6))

NOW COMES the defendant Wake County Board of Elections, by and through undersigned counsel, and pursuant to Fed.R.Civ.P. 12(b)(6), hereby moves the court to dismiss the plaintiffs' complaint in that the complaint fails to state claims against this defendant upon which relief may be granted an for the reasons as more particularly set forth in the accompanying Memorandum in Support of Motion to Dismiss filed contemporaneously with this motion.

WHEREFORE, defendant prays the Court dismiss this action and for such other relief that the Court may deem just.

Respectfully submitted this the 10th day of August, 2016.

/s/ Scott W. Warren
Wake County Attorney (NCSB 14349)
E-mail: swarren@wakegov.com
/s/ Claire Hunter Duff
Assistant Wake County Attorney (NCSB 26573)
E-mail: Claire.duff@wakegov.com

***COUNSEL FOR WAKE COUNTY BOARD OF
ELECTIONS***

Office of the Wake County Attorney
Post Office Box 550
Raleigh, North Carolina 27602
Phone: (919) 856-5500
Fax: (919) 856-5504

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CERTIFICATE OF SERVICE VIA U.S. MAIL

I hereby certify that on 10th August 2016, I electronically filed the foregoing MOTION TO DISMISS with the Clerk of Court using the CM/ECF system.

And, I hereby further certify that the foregoing document has been served upon all counsel pursuant to Rule 5 of the Federal Rules of Civil Procedure by depositing a copy in the care and custody of the United States Postal Service with proper postage affixed thereon this 11th day of August 2016.

SERVED UPON:

John E. Branch
Shanahan Law Group, PLLC
128 E. Hargett Street, Suite 300
Raleigh, North Carolina 27601
Counsel for Plaintiff

J. Christian Adams
Kaylan L. Phillips
Public Interest Legal Foundation
209 W. Main Street
Plainfield, Indiana 46168
Counsel for Plaintiff

This the 10th day of August.

By: /s/ Claire H. Duff

Claire Hunter Duff
Post Office Box 550
Raleigh, NC 27602
Phone: (919) 856-5500
Fax: (919) 856-5504